
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	<p>Directive Number 4.2A</p>	<p>Effective Date 9/01/11</p>	<p>Page 1 of 4</p>
	<p>Supersedes NEW DIRECTIVE</p>		
<p>Approved By</p>  <p>Commissioner Leo C. Arnone</p>	<p>Title</p> <p>Risk Reduction Earned Credit</p>		

1. Policy. Risk Reduction Earned Credit may be awarded at the discretion of the Commissioner for participation in programs or activities, good conduct and obedience to departmental rules, for eligible sentenced inmates whose crimes were committed on or after October 1, 1994, in accordance with the Connecticut General Statutes and the provisions set forth in this policy.

2. Authority and Reference.
 - A. Connecticut General Statutes, Sections 18-81, 18-98b, 18-100c, 18-100d and 54-125a.
 - B. Public Act 11-51, Sections, 22, 23, 24, and 25.
 - C. Administrative Directives 4.2, Sentence Computation and Timekeeping; 4.5, Victim Services; 6.14, Security Risk Groups; 9.2, Offender Classification; 9.3, Inmate Admissions, Transfers and Discharges; 9.4, Restrictive Status; 9.5, Code of Penal Discipline; 9.6, Inmate Administrative Remedies; Administrative Directive 9.7, Offender Accountability Plan; 10.13, Offender Programs; and 11.1, Parole and Community Services.
 - D. State of Connecticut, Department of Correction, Classification Manual, 2005.
 - E. State of Connecticut, Department of Correction, Records Manual.
 - F. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-1E-05.
 - G. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standard 4-4097.

3. Definitions and Acronyms. For the purposes stated herein, the following definitions and acronyms apply:
 - A. Compliance. For purposes of applying RREC, all sentenced inmates, convicted for crimes committed on or after October 1, 1994, with the exception of those on a restrictive status, shall be considered compliant, if they participate in programs or activities, have good conduct and are obedient to departmental rules. Only such compliant inmates may be eligible to earn RREC.
 - B. Non-Compliance. Inmates who do not participate in programs or activities, do not have good conduct and are not obedient to departmental rules, or who are on a restrictive status shall be considered non-compliant and may be subject to either not earning or forfeiture of RREC, or both not earning and forfeiture.
 - C. Restrictive Status. For purposes of RREC, inmates on Administrative Segregation, Close Custody, Chronic Discipline, Close Monitoring and Special Needs Management status shall not be eligible to earn RREC. In addition, inmates sentenced to life without the possibility of parole or sentenced to death shall not be eligible to earn RREC. Inmates on special needs in the BEU program shall be eligible to earn RREC.
 - D. Risk Reduction Earned Credit (RREC). Time awarded at the discretion of the Commissioner or designee at the rate of five (5) days per

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month for participation in programs or activities, good conduct and obedience to departmental rules, unit and/or program rules in accordance with RREC guidelines as determined by the Commissioner or designee.

4. General Principles and Guidelines. The basic principles of RREC is for the Department of Correction to provide an incentive to inmates and have the ability to award earned credit to those inmates who choose to be in compliance and participate in available programs and activities, coupled with good conduct and obedience to departmental, unit and/or program rules. RREC also assists in providing inmates with valuable tools to be better prepared for reintegration into the community. RREC might reduce an inmate's sentence and shorten the discharge date by five (5) days a month if in compliance. However, refusal to participate in programs or failure to abide by departmental, unit and/or program rules may result in not earning RREC, forfeiture of RREC and ineligibility to earn RREC.
5. Eligibility. Any inmate sentenced to a term of imprisonment for a crime committed on or after October 1, 1994 and who is serving a sentence on or after October 1, 1994 except sentences for violation of CGS 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-70a, 53a-100aa, may be eligible to earn risk reduction credit toward a reduction of that sentence at the discretion of the Commissioner or designee. RREC may be earned for adherence to the inmate's offender accountability plan, participation in eligible programs and activities and for good conduct and obedience to departmental rules as designated by the Commissioner or designee. Good conduct and obedience to institutional rules alone shall not entitle an inmate to such credit.
6. Retroactive Application of RREC. The Commissioner's or designee's authority to award such discretionary RREC shall be retroactive to April 1, 2006 and shall apply once only to inmates in the custody of the Commissioner of Correction on 7/01/11. Any credits earned may only be earned for time during which the inmate is sentenced and committed to the Commissioner of Correction and shall not be transferred or applied to any other subsequent sentence or term of imprisonment. RREC shall not apply to any previously served portions of a sentence if an inmate is recommitted to the Commissioner of Correction for a violation of probation. Retroactive application of RREC as provided for in this section shall be implemented incrementally, on a phased-in basis, consistent with public safety, risk reduction, administrative purposes and sound correctional practice, at the discretion of the Commissioner or designee, but shall be completed no later than July 1, 2012.

Any inmate eligible to receive RREC, shall receive a copy of a Risk Reduction Earned Credit (RREC) Retroactive Worksheet, indicating the lump sum amount, if any, that may be applied to the inmate's sentence. During the retroactive period, inmates shall not be eligible to have earned RREC during any time they were on a restrictive status, as enumerated in Section 9 of this Directive, or for any period of non-compliance.

The lump sum amount an inmate may be credited will be determined and applied as enumerated in Section 15 of this directive and the guidelines.
7. Credit Earned. An inmate may earn RREC at the rate of five (5) days per month throughout the sentenced portion of the inmate's incarceration. The number of days of credit earned shall be pro-rated for partial months of an inmate's sentence (e.g.-first and or last month of sentence). This

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credit shall adjust an inmate's release date creating both an estimated date and a maximum date. The estimated release date reflects all actual credits and debits applied to date as well as all credits that may be earned while serving the current sentence. The estimated date is not the actual discharge date. The maximum date reflects all credits earned and debits applied as of the current date. An inmate's discharge date is determined by the maximum date.

8. Credit Not Earned. Inmates who are not in compliance as defined in Section 3(B) of this Directive, to include refusing programming, being placed on a restrictive status, on escape or absconder status, serving a period of special parole or not in compliance as outlined in this directive and guidelines shall not be eligible to earn RREC. In addition, RREC may not reduce the sentence below the mandatory minimum term of imprisonment such inmate is required to earn by statute. Inmates may earn RREC in accordance with Attachment A, RREC Grid.

Credit adjusted due to non-compliance or for any other legitimate reason and/or not earned cannot be restored.

9. Records Notification for RREC. The CN 42A01, Notification for Risk Reduction Earned Credit, shall be completed by a counselor when the inmate's compliance or non-compliance status changes to include the following:
 - A. An inmate refuses to participate, attend an activity listed on the OAP or refused to provide a required DNA sample;
 - B. An inmate is removed from an activity by a staff member;
 - C. An inmate is being considered for compliance reinstatement to earn RREC for being offered and accepting a program, job, school or providing a required DNA sample; and
 - D. An inmate is removed or refused an activity, but will still earn RREC for extenuating circumstances.

For both A and B above, a CN100101, Offender Work Performance and Program Removal/Refusal, shall be attached to the form. Upon completion, the Record's Office shall get a copy of the form to accurately adjust the inmate's time sheet to reflect the changes.

10. Credit Forfeited. RREC shall be forfeited as a sanction related to the disciplinary process in accordance with Administrative Directive, 9.5, Code of Penal Discipline and Attachment A, RREC Grid. In the event the inmate has not yet earned sufficient RREC to satisfy the sanction, such lost RREC shall be deducted from any RREC earned in the future by the inmate.
11. Restoration of RREC. RREC that is forfeited through the disciplinary process may be restored in accordance with Administrative Directive 4.2, Sentence Computation and Timekeeping at the discretion of the Unit Administrator utilizing the CN 42A02, Application for Restoration of RREC.
12. Parole and Transitional Supervision Eligibility. RREC shall apply to the eligibility date for both Transitional Supervision and Parole.
13. Inmates under Supervision in the Community. Inmates currently on Parole, Transitional Parole, Transitional Supervision, Transitional Placement, Re-Entry Furlough or housed in a halfway house under supervision by the

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Department of Correction, may earn RREC subject to this directive and the guidelines.

14. Special Parole. Inmates serving a period of special parole shall not be eligible to earn RREC
15. Phase in of Retroactive RREC. The RREC shall be applied incrementally in the interest of public safety, risk reduction; administrative purposes and sound correctional practice at the discretion of the Commissioner or designee taking into account the inmate's risk, needs and proximity to discharge.
16. Appeal. There shall be an appeal process as it pertains to the calculation of the number of retroactive credits an inmate may be eligible to receive. However, the decision as to when to apply the credits is not appealable, consistent with the phased in implementation process enumerated in section 6, however forfeiture of RREC can be appealed through the disciplinary appeal process. Refer to Administrative Directive 9.6, Administrative Remedies.

If an inmate appeals a guilty finding of a disciplinary report and that finding is subsequently overturned by the District Administrator, the inmate's time sheet shall be adjusted to reflect the earning of five (5) days for the month in which that disciplinary report was originally disposed of as guilty, provided the inmate is otherwise in compliance.
17. Victim Notification. Any victim(s) of an offender's crime shall be notified prior to the offender being released in accordance with Administrative Directive 4.5, Victim Services.
18. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
 - A. CN 42A01, Records Notification form for RREC;
 - B. CN 42A02, Application for Restoration of Earned Credit;
 - C. Attachment A, RREC Grid;
 - D. Attachment B, Digest of RREC Rules;
 - E. Attachment C, Mandatory Minimum Offense List.
19. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require the prior written approval of the Commissioner.